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UNCLAS SECTION 01 OF 02 PORT OF SPAIN 000374

SENSITIVE

SIPDIS

STATE FOR EB/TPP/IPE AND WHA/CAR

E.O. 12958: N/A  
TAGS: [ETRD](#) [KIPR](#) [TD](#)  
SUBJECT: WORKING TO END TV PIRACY IN TRINIDAD AND TOBAGO?

REF: 07 POS 1154

SENSITIVE BUT UNCLASSIFIED - PROTECT ACCORDINGLY

¶1. (SBU) SUMMARY: Officials from the Telecommunications Authority of Trinidad and Tobago (TATT) met with a CBS International representative and EconOff to discuss the illegal broadcast of a CBS affiliate by T&T's major cable operator, Flow. While TATT indicated its interest in assisting in this matter, it noted that removing the channel would be wildly unpopular and possibly politically untenable. The CBS representative said that her firm could overlook the issue with its affiliate if Flow agreed to broadcast its international channel and continued to block the affiliate when local channels held the rights to CBS programming. TATT agreed to assist CBS in making contact with Flow, but made no promises as to the cable company's response. Regardless of Flow's decision with respect to CBS' international channel, CBS is unlikely to pursue the copyright violation in court as T&T is a lucrative market for its programming. END SUMMARY.

¶2. (SBU) Having reached a content agreement with HBO-Latin America in October 2007 giving it the rights to broadcast 25 channels, Flow, T&T's major cable TV provider, expressed interest in pursuing additional broadcasting rights (ref). However, Flow has made little progress towards this goal in the past nine months, with the Telecommunications Authority of Trinidad and Tobago (TATT) pointing to Flow's difficulties in generating interest in T&T's small market among rights holders. Recently, however, GOTT officials indicated their renewed interest in legitimizing the cable channels and informally requested Embassy assistance in communicating with rights holders. Among the channels that continue to be pirated by Flow are ABC, CBS, and NBC affiliates.

¶3. (SBU) On July 30, TATT representatives Steven Bureaux (Senior Manager Legal and Regulatory Affairs) and Cris Seecheran (Acting Executive Director) met with CBS International's Sales Manager Stephanie Pacheco and EconOff to discuss the illegal broadcast of the U.S. based CBS affiliate. Bureaux immediately spelled out TATT's priority -- to determine how Flow could legally broadcast U.S. network affiliates or the equivalent content repackaged for the international market.

¶4. (SBU) Pacheco explained that the CBS network is not sold internationally and U.S. based affiliates cannot be broadcast overseas legally because CBS does not own the rights to the entire programming line up. It purchases the rights to broadcast a number of shows from other studios, as do its affiliates. However, CBS International does own the rights to all of its news and public affairs shows, some of its sports programming and a number of popular comedies and dramas, which it repackages for the Latin American and Caribbean region. Pacheco noted that CBS' international channel was created for the Spanish speaking audience in this region. Thus, as with the HBO-LA feed, programming is in English while the commercials are in Spanish. In addition to CBS' international channel, T&T's local stations can and do buy the rights to a variety of CBS shows. In fact, Pacheco noted that T&T

is CBS International's third largest market in the Latin American and Caribbean region.

15. (SBU) While Bureaux said the decision to enter into an agreement with CBS ultimately rests with Flow, TATT would help bring the company to the table to discuss these options with CBS. Bureaux explained, however, that even if Flow broadcasts CBS' international channel, it is unlikely to remove the CBS affiliate from its line up since the international channel would not offer identical programming. Further, Bureaux admitted that politically it would be very difficult for TATT to force Flow to block the network affiliates. Public demand for these channels is simply too strong. Pacheco noted that when local channels purchase the broadcast rights to CBS material, Flow effectively blocks the pirated network affiliates to guarantee the legal rights holder an audience. Pacheco indicated that CBS would be satisfied if Flow agreed to purchase and broadcast its international channel, blocking the CBS affiliate when there was overlap. TATT indicated it could support such an arrangement and would try to assist in bringing Flow to the table.

16. (SBU) COMMENT: TATT made clear it will not make the unpopular decision to block the network affiliate station. CBS International seems to understand this and is unlikely to pursue the matter further, particularly given its success in selling programming to local channels and the prospect of selling its international channel to Flow. In a follow up email to Econoff, Pacheco reported that after returning from T&T, representatives from Flow's parent company Columbus Communications (a Canadian Company headquartered in the Bahamas) contacted her to set up a meeting. Having had little luck in the past contacting Columbus, she suggested that the Embassy's participation in the meeting with TATT contributed to the rapid

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response. TATT and Flow will have to engage in similar discussions with NBC, ABC, and a handful of cable channels if it wants to totally "eliminate" cable piracy. These entities may or may not be as willing to overlook the fact that an affiliate will remain on the line up along side any international channel they sell.

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